



General Assembly

January Session, 2003

**Amendment**

LCO No. 6999

\*SB0096906999HD0\*

Offered by:

REP. SPALLONE, 36<sup>th</sup> Dist.

To: Subst. Senate Bill No. 969

File No. 634

Cal. No. 561

(As Amended by Senate Amendment Schedule "A")

**"AN ACT CONCERNING INVESTIGATIVE SUBPOENAS."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2003*) (a) Not later than forty-  
4 five days after an arrest is made as a result of an investigation in which  
5 a prosecuting official has issued a subpoena pursuant to sections 1 to  
6 12, inclusive, of this act, counsel for the defendant shall be provided  
7 with a list of the names and addresses of all witnesses who were  
8 summoned by subpoena by the prosecuting official in the course of  
9 such investigation.

10 (b) Counsel for the defendant may issue a subpoena to any witness  
11 on the list who testified or produced property in response to the  
12 subpoena issued by the prosecuting official. The subpoena shall  
13 specify the time and place that the witness shall appear and give  
14 testimony or produce property to such defense counsel concerning the

15 matter. Such defense counsel shall give notice of the issuance of the  
16 subpoena to the state.

17 (c) In any examination of a witness who has been summoned by a  
18 subpoena issued by such defense counsel pursuant to this section, such  
19 witness shall be afforded the same protections and safeguards as are  
20 afforded witnesses who have been summoned by a subpoena issued  
21 by a prosecuting official pursuant to sections 1 to 12, inclusive, of this  
22 act."